

# **ARTICLES OF INCORPORATION OF THE LAKE CANYON MUTUAL WATER COMPANY.**

**Know all men by these presents:**

That we, the undersigned, a majority of whom are residents of the State of California, have this day associated ourselves for the purpose of incorporating under the laws of the State of California, a non-profit co-operative corporation pursuant to the provisions of Title XII., Part Four, Division First of the Civil Code of the State of California;

And We Do Hereby Certify:

**First:** That the name of the said corporation is The Lake Canyon Mutual Water Company.

**Second:** That the purposes for which it is formed are:

To build, develop or otherwise acquire and to maintain and operate a water system, roads, recreation, entertainment and amusement in and for subdivisions of all those certain tracts of land in the County of Santa Clara, State of California, described as follows:

All of the property described in map No. 1 of Lake Canyon as recorded in Volume "V" of Maps, at page 13, Records of Santa Clara County, California.

Also: All of the property described in Map No. 2 of Lake Canyon, as recorded in Volume "V" of Maps, at pages 50 and 51, Records of Santa Clara County, California.

And: Assessor Parcel Numbers 54-11-001 and 544-14-13 as recorded County Recorders Office, Santa Clara, State of California.

Provided that this corporation will function in and for only such parts or portions of said tracts as shall be subdivided into a lot or lots and such subdivisions shown on map or maps, recorded in the Office of the County Recorder of said County of Santa Clara, State of California, and shall function in and for such subdivisions only after the recording of such maps.

To buy, lease or otherwise acquire, real and/or personal property and/or rights therein necessary or convenient for the aforesaid purposes, and to sell, lease or otherwise dispose of the same.

To borrow money and give security therefore by means of mortgage, Deed of Trust or other lawful means.

To fix and collect from its members rates for the operation of a water system and maintenance of roads, or any of the services offered or furnished of this corporation.

To levy and collect assessments from its members from time to time for the purpose of raising funds to meet all capital expenditures in connection with any of its said services, or extension thereof, any deficiency in the operating or maintenance cost of any of said services, and any other expense incurred or to be incurred in carrying out the purposes of this corporation, and to take all lawful means for the enforcement of such collections; provided that this corporation may levy and collect such assessments also for the purpose of paying all maintenance and operating expense in lieu of rates hereinafter mentioned.

And to exercise all the powers of said Title XII and the powers necessarily incidental thereto, and, also, all other powers granted to private corporations by the laws of the State of California not inconsistent with those operated by said title;

And to perform any and all other acts which may be either necessary for, or proper or incidental to, the exercise of any of the foregoing powers; provided however, that the purposes for which this corporation is formed and the power of the Articles herein granted shall in no wise ever be construed, exercised or permitted to function as a public utility, nor shall any of the water owned by said corporation or any water that hereafter may be developed, from any water system owned by said corporation, be sold, furnished or delivered to any person, firm or corporation other than the members of the Lake Canyon Mutual Water Company, their tenants and contracting purchasers upon the lands herein above described.

**Third:** That the county in this State where the principal office for the transaction of the business of the corporation is to be located is the County of Santa Clara.

**Fourth:** That the number of its directors shall be five and the names and residences of those selected for the first year and until their successors shall have been elected, and shall have accepted office, are:

Chas. F. Wright	1163 Hedding St., San Jose.
C. L. Schafer	P. O. Box 187, Los Gatos, Calif
J.F. Partington	114 So. 11th St., San Jose.
L. LaHue	191 W. Santa Clara St., San Jose.
Thomas S. Brain	Los Gatos, California

**Fifth:** That the voting power and property rights and interests of the members of the corporation shall be unequal; and the sole qualifications for membership in this corporation shall be the holding of the legal title to the land within the subdivision, as herein above defined, of the whole or part of said tract of land; that any person now holding or who shall hereinafter hold the legal title to any of said subdivision land in said tracts, shall be entitled to a certificate of membership in this corporation, provided however that such certificate of membership shall be transferred to the new title holder when the owner thereof is no longer the holder of the legal title to such subdivided land in said tracts. That each member of this corporation shall have voted upon all matters that shall come before this corporation in proportion to the number of lots in the subdivision in said tract, herein above described, owned of record, by him, one vote being allowed for each lot owned, and proportion fractions of votes for portion of lots; provided that no person shall be permitted to vote at any meeting while in default in the payment of any rates or assessments levied for any purpose of the corporation.

**Sixth:** The name of the existing unincorporated association which is being incorporated is Lake Canyon Mutual Water Company.

**Seventh:** That it is a corporation which does not contemplate pecuniary gain or profit to the members thereof.

IN WITNESS WHEREOF, we, Charles F. Wright and C.L. Schafer have hereunto set our hands and seals this 6th day of July, 1938.

*President /s/ CHAS. F. WRIGHT*

*Secretary /s/ C.L. Schafer*